IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Crl.Rev.Pet.No. 1970 of 2007()

CRA.643/2006 of III ADDL.SESSIONS COURT, KOLLAM
CC.2326/2003 of JUDL.MAGISTRATE OF FIRST CLASS-I, KOLLAM

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REVN. PETITIONER: APPELLANT/ACCUSED

YAHIYA.K.. S/O.KOYAKUNJU
OZILA MANZIL, KALLUMTHAZHAM P.O.
KILIKOLLOOR, KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. STATE OF KERALA
   REPRESENTED BY PUBLIC PROSECUTOR
   HIGH COURT OF KERALA.

2. NIZAM, S/O.HAMSAKOYA
   FATHIMA MANZIL, THADAVILA
   KIZHAKKATHIL, T.K.M. COLLEGE POST
   PEROOR, KOLLAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1970 of 2007

Dated this the 24th day of May, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a compensation of Rs.1,00,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for two months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted six months' time from today onwards to make the payment. He shall appear before the Judicial First Class Magistrate Court-I, Kollam on 24.11.2007 to receive the sentence. Non bailable warrant, pending, if any shall be kept in abeyance till 24.11.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl